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Division

10 Weapons and explosives offences

Australian and New Zealand Standard Offence Classification (ANZSOC)

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Description

Weapons and explosives offences include the unlawful trafficking, distribution, dealing, manufacture, possession, and use of weapons and explosives that are prohibited or regulated under legislation.

Weapons and explosives may include, but are not limited to, firearms (including replicas), knives or blades, batons or other blunt weapons, grenades, flamethrowers, weapons disguised as jewellery, other melee weapons, flares, firecrackers, tasers, ammunition, weapons parts, biological weapons, pepper spray or other chemical weapons. Radioactive materials, although used in weapons, are excluded from this division, as they are instead considered a hazardous substance.

Subdivision

101 International trafficking of weapons or explosives

Description

Offences in this subdivision relate to the unlawful import or export of weapons or explosives.

This subdivision is disaggregated by whether the weapons are prohibited or regulated. Where disaggregation is not possible, offences should be coded to 1010 International trafficking of weapons or explosives, not further defined.

1011 Import or export prohibited weapons or explosives

This group includes the actions resulting or intended to result in the importation or exportation of prohibited weapons or explosives into or out of Australia or New Zealand.

Inclusions:

- Conspiracy to traffic prohibited weapons or explosives
- Traffic prohibited weapons or explosives as a courier or using a courier into or out of Australia and New Zealand
- Other offences relating to the import or export of prohibited weapons or explosives

Exclusions:

- Transport or distribution of prohibited weapons or explosives within Australia or New Zealand – coded to 1021 Distribute or deal prohibited weapons or explosives

1012 Import or export regulated weapons or explosives

This group includes the actions resulting or intended to result in the importation or exportation of regulated weapons or explosives into or out of Australia or New Zealand.

Inclusions:

- Conspiracy to traffic regulated weapons or explosives
- Traffic regulated weapons or explosives as a courier or using a courier into or out of Australia or New Zealand
- Other offences relating to the import or export of regulated weapons or explosives

Exclusions:

- Transport or distribution of regulated weapons or explosives within Australia or New Zealand – coded to 1022 Distribute or deal regulated weapons or explosives

Subdivision

102 Distribute or deal weapons or explosives

Description

Distribution or dealing includes any unlawful supply of weapons or explosives.

This subdivision is disaggregated by whether the weapons are prohibited or regulated. Delineation will vary by jurisdiction. Where it is unknown or there is not a legislative distinction, offences should be coded to 1020 Distribute or deal weapons or explosives, not further defined.

1021 Distribute or deal prohibited weapons or explosives

This group includes offences relating to the distribution or dealing of prohibited weapons.

Inclusions:

- Give or sell prohibited weapons or explosives
- Transport or distribution of prohibited weapons or explosives within Australia or New Zealand
- Other offences relating to the distribution or dealing of prohibited weapons or explosives

Exclusions:

- International trafficking of weapons or explosives – coded to the relevant groups within 101 International trafficking of weapons or explosives

1022 Distribute or deal regulated weapons or explosives

This group includes offences relating to the distribution or dealing of regulated weapons.

Inclusions:

- Give or sell firearm or ammunition to an unlicensed person
- Sell firearms or ammunition without a dealer licence
- Transport or distribute regulated weapons or explosives unlawfully, within Australia or New Zealand
- Other offences relating to the distribution or dealing of regulated weapons or explosives

Exclusions:

- International trafficking of weapons or explosives – coded to the relevant groups within 101 International trafficking of weapons or explosives

Subdivision

103 Manufacture weapons or explosives

Description

This subdivision includes the unlawful manufacture or modification of weapons or explosives. Manufacture may be by any method, including 3D printing.

This subdivision is disaggregated by whether the weapons are prohibited or regulated. Delineation will vary by jurisdiction. Where it is unknown or there is not a legislative distinction, offences should be coded to 1030 Manufacture weapons or explosives, not further defined.

1031 Manufacture of prohibited weapons or explosives

This group includes the manufacture or modification of prohibited weapons or explosives.

Inclusions:

- Manufacture or modification of prohibited weapons or explosives, including chemical or biological weapons
- Unlawful modification or alteration of a regulated weapon, where this results in the creation of a prohibited weapon
- Other offences relating to the manufacture of prohibited weapons or explosives

Exclusions:

- Mishandling of radioactive substances – coded to 1234 Hazardous substances offences

1032 Manufacture of regulated weapons or explosives

This group includes the manufacture or modification of regulated weapons or explosives.

Inclusions:

- Manufacture regulated weapons or explosives, including chemical or biological weapons
- Unlawfully modify or alter a weapon, where this results in the creation of a weapon capable of being registered, regardless of whether it is actually registered
- Other offences relating to the manufacture of regulated weapons or explosives

Exclusions:

- Mishandling of radioactive substances – coded to 1234 Hazardous substances offences

Subdivision

104 Unlawfully obtain, possess, or use weapons or explosives

Description

This subdivision includes offences relating to purchase, possession, or use of weapons. It is disaggregated by whether the weapons are prohibited or regulated. Delineation will vary by jurisdiction. Where it is unknown or there is not a legislative distinction, offences should be coded to 1040 Unlawfully obtain, possess, or use weapons or explosives, not further defined.

1041 Possession or use of prohibited weapons or explosives

This group includes the purchase, possession or use of prohibited weapons or explosives.

Inclusions:

- Possession of a prohibited weapon or explosive
- Purchase a prohibited weapon or explosive
- Other offences relating to the purchase, possession, or use of prohibited weapons or explosives

Exclusions:

- Burglary or theft of prohibited weapons or explosives – coded to the relevant groups within 06 Burglary and 07 Theft
- Use a prohibited weapon to commit sexual assault, assault, robbery, or burglary – coded to the relevant groups within 02 Assault, 03 Sexual offences, 051 Robbery or 06 Burglary

1042 Unlawfully obtain or possess regulated weapons or explosives

This group includes the purchase, possession, or use of regulated weapons or explosives.

Inclusions:

- Carry an object that was legally purchased but is classified as a regulated weapon, such as a spear gun, laser pointer, or specialised knives
- Possess firearm without licence or permit
- Possess unregistered firearm
- Purchase firearm or ammunition without permit
- Supply false documentation to get a licence or permit for a weapon
- Unlawful purchase or possession of fireworks, firecrackers, or flares
- Other offences relating to the purchase, possession, or use of regulated weapons or explosives

Exclusions:

- Burglary or theft of regulated weapons or explosives – coded to the relevant groups within 06 Burglary and 07 Theft

1043 Misuse of regulated weapons or explosives

Offences relating to the operation or handling of legal or regulated weapons or explosives.

Inclusions:

- Defacement of a firearm, for example to obscure serial numbers or identification marks
- Discharging a firearm at a prohibited time or place
- Lend a regulated weapon to a minor or unlicensed person
- Misuse fireworks, firecrackers, or flares
- Misuse regulated weapons, including objects not purchased as weapons, such as laser pointers
- Offences relating to weapons storage, such as failing to secure firearm or carrying a concealed weapon
- Other misuse of regulated weapons or explosives offences

Exclusions:

- Carry an object that was legally purchased but is classified as a regulated weapon – coded to 1042 Unlawfully obtain or possess regulated weapons or explosives
- Cause property damage with an explosive – coded to 1111 Property damage by fire or explosion
- Manufacture prohibited weapons, or modify or alter regulated weapons to create prohibited weapons – coded to 1031 Manufacture of prohibited weapons or explosives
- Mismanagement of hazardous substances including radioactive or flammable substances – coded to 1234 Hazardous substances offences

Subdivision

109 Other weapons and explosives offences

1099 Weapons and explosives offences, nec

This offence group is for weapons and explosives offences not elsewhere classified.

Inclusions:

- Dealer's licence offences that do not relate to the buying or selling of weapons or explosives, such as failing to keep a register
- Registration offences by licenced owner, such as failure to notify of change of address
- Other weapons and explosives offences not elsewhere classified

Exclusions:

- Regulatory offences relating to the mismanagement of explosive substances – coded to 1234 Hazardous substances offences